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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)

F00ED0023

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Signature _____

Typed or printed name _____

Application Number

09/963,590

Filed

September 27,
2001

First Named Inventor

Mitsuru KOMIYAMA

Art Unit

2822

Examiner

GRAYBILL, David

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

☐ applicant/inventor.☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)☒ attorney or agent of record.
Registration number 40,351☐ attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34 _____
Signature

Junichi MIMURA

Typed or printed name

202-452-6190

Telephone number

December 28, 2005

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 3 forms are submitted.

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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ARGUMENTS FOR PRE-APPEAL BRIEF REQUEST FOR REVIEW

APPLICATION NUMBER: 09/963,590
FIRST NAMED INVENTOR: MITSURU KOMIYAMA
FILING DATE: SEPTEMBER 27, 2001
ATTORNEY DOCKET NUMBER: F00ED0023
EXAMINER: DAVID E. GRAYBILL
ART UNIT: 2822

1. STATUS OF CLAIMS

- (a) Pending Claims: 1,5,6,11,12,15,17,20,30,32,34,36,37,39,40 and 42 [Paper filed 4/6/2005 Page 2-19]
- (b) Rejection
 - Claim 13,14,19-23,32,36 (Takiar+Mathew or Takiar+Mathew +Fujiyama)
 - Claim 1,2,5,6,7,11,15,15,17,30,34,37,42 (Takiar+Mathew, Takiar+Mathew+Haba or Takiar+Mathew +Fujiyama) [Action dated 7/1/05]

2. Applicant's Argument

- (a) Regarding all claims against Takiar, Mathew, Fujiyama, and Haba or their combinations.
 - (1) None of the cited references disclose the following features:
 - (i) each first terminal pad and each conductive relay pad are alternatively aligned (claims 1, 13, 15, 17 and 37) or
 - (ii) each first conductive portion and each second conductive portion are alternatively aligned (claim 20). [Paper dated 4/6/05, page 21, line 3 - page 22, line 11]
- (b) Regarding claim 13,14,19-23,32,36
 - (1) Against Takiar
 - (i) First Terminal Pad is not disclosed [Paper dated 3/10/2004, page17, lines 5-8],
 - (ii) Insulating substrate is not disclosed [Paper dated 3/10/2004, page17, lines 8-12], and
 - (iii) conductive relay pad including a first area and a second area is not disclosed [Paper dated 12/16/02 attached to the Paper dated 2/11/03, page 7, lines 3-10]
 - (2) Against Fujiyama, Fujiyama does not disclose the following characteristics;
 - (i) a second bonding wire, wherein one end thereof is formed on the internal terminal and the other end is formed at the top of the first metal bump, and a third bonding wire, wherein one end thereof is formed on the conductive relay pad in the second area and the other end is formed at the top of the second metal bump (claim

- 13),
 - (ii) a wire, wherein one end thereof is formed on the second internal terminal and the other end is formed at the top of the bump (claim 20),
 - (iii) a first wire, wherein one end thereof is formed on the first conductive pattern and the other end is formed at the top of the first bump; and a second wire, wherein one end thereof is formed at the top of the first bump and the other end is formed at the top of the second bump (claim 25) [Paper dated 8/26/2004, page 23, line 10 - page 24, line 12].
 - (iv) In addition, Fujishima does not disclose a conductive relay pad and a first terminal, each of which is formed on the 1st semiconductor chip [Paper dated 3/10/2004 page 18, lines 10-13]
- (3) Against Mathew
- (i) Mathew does not disclose any bumps claimed Paper dated [Paper dated 12/16/02 attached to the Paper dated 2/11/03, page 10, line 15 - page 11, line 2]. By this argument, the rejection under Mathew made on October 2, 2002 regarding claims 24, 27 was withdrawn in the next Action.

(c) Regarding claims 1,2,5,6,7,11,15,15,17,30,34,37,42

(1) Against Takiar

- (i) Insulating substrate is not disclosed [Paper dated 3/10/2004, page 19, line 20 – page 20, line 2]
- (ii) No first and second conductive pattern formed on the insulating substrate [Paper dated 3/10/2004, page 20, lines 2 – 4]
- (iii) The electrical Contact 32 does not connect the electrical lead 46 by any bonding wire. (This means that the examiner asserted that an electrical contact 32 corresponds to the first terminal pad 32. If so, the electrical contact 32 should be connected to the electrical lead 46 by a bonding wire. But, The electrical Contact 32 does not connect the electrical lead 46 by any bonding wire) [Paper dated 3/10/2004, page 20, lines 4 - 5]
- (iv) A conductive relay pad including a first area and a second area is not disclosed [Paper dated 12/16/02 attached to the Paper dated 2/11/03, page 7, line 17 – page 8, line 17]

(2) Against Fujiyama, Fujiyama does not disclose the following characteristics;

- (i) a second bonding, wherein one end thereof is formed on the second conductive pattern and the other end is formed at the top of the first metal bump on the conductive relay pad in the first area; and a third bonding wire, wherein one end thereof is formed on the conductive relay pad in the second area and the other end is formed at the top of the second metal bump (claim 1),

- (ii) a second bonding wire, wherein one end thereof is formed on the second conductive pattern and the other end is formed at the top of the first metal bump, and a third bonding wire, wherein one end thereof is formed at the top of the first metal bump and the other end is formed at the top of the second metal bump (claim 15).
 - (iii) In addition, Fujishima does not disclose a conductive relay pad and a first terminal, each of which is formed on the 1st semiconductor chip [Paper dated 3/10/2004, page 20, lines 10-13])
- (3) Against Haba
- (i) The bonding wire 440a does not correspond to the first bonding wire of the invention [Paper dated 12/16/02 attached to the Paper dated 2/11/03, page 9, lines 9-19]
 - (ii) A conductive relay pad including a first area and a second area is not disclosed Paper dated 12/16/02 attached to the Paper dated 2/11/03 page 9, lines 19-20]
- (4) Against Mathew
- (i) Mathew does not disclosed any bumps claimed Paper dated [Paper dated 12/16/02 attached to the Paper dated 2/11/03, page 10, line 15 - page 11, line 2]. By this argument, the rejection under Mathew made on October 2, 2002 regarding claims 24, 27 was withdrawn in the next Action.

3. The Examiner's Assertion against the Applicant Argument

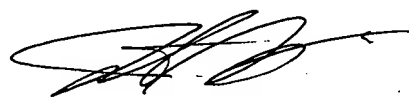
- (1) As to the Argument made on Paper dated 4/6/05 described above (Namely, 2(a)(1)), the examiner simply asserts that Applicant's argument and remarks filed 4-6-5 have been fully considered, and they are adequately addressed by the rejection supra or they have previously been addressed in the record [Action dated 7/1/05, page 3, lines 6-8]. The Augment made on Paper dated 4/6/05 was introduced on that Paper.
- (2) As to the Argument made on Paper dated 8/26/05 described above (Namely, (b)(2) and (c)(2)), the examiner simply asserts that Applicant's argument and remarks filed 8-26-4 have been fully considered, and they are rendered moot by the new grounds of rejection [Action dated 11/12/05, page 6, lines 1-2]. The argument made on 8/26/05 is not rendered moot because the examiner cited the Fujiyama again.

4. Conclusion

- (1) Since none of the reference cited during the prosecution disclose the characteristics 2(a)(1) described above, all pending claims should be allowable.
- (2) Further, the examiner asserts some elements, which are not expressly disclosed in the primary reference, are disclosed in the secondary

reference. However, when Applicant argued that some elements are not still disclosed in the secondary reference by showing the reason, the examiner needs to explain why Applicant's argument is wrong. As described in 3(2), when the examiner cannot explain the reasons why Applicant's argument is wrong, the combined references do not disclose the claimed invention. Thus, the claims should be allowed in that case like above-mentioned item 3(2).

Date December 28, 2005



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